

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

FILED
APR 12 2023
U.S. DISTRICT COURT-WVND
WHEELING, WV 26003

UNITED STATES OF AMERICA,

v.

DANIEL KEENER,

Defendant.

Criminal No.

5:23 cr 36

Violation:

18 U.S.C. § 1343

INFORMATION

The United States Attorney charges that:

COUNT ONE

(Wire Fraud)

1. At all times relevant to this Information, the defendant, **DANIEL KEENER**, was employed as Treasurer of Bethany Pike Volunteer Fire Department (“VFD”) in Wellsburg, West Virginia.

2. At all times relevant to this Information, Bethany Pike VFD provided fire protection and emergency response services to the Wellsburg community.

3. At all times relevant to this Information, the defendant had access to Bethany Pike VFD bank accounts in his capacity as the treasurer.

THE SCHEME

4. Beginning in or about January 2017 and continuing through in about December 2022, in Brooke County, in the Northern District of West Virginia, and elsewhere, the defendant devised and intended to devise a scheme and artifice to defraud and obtain at least approximately money from Bethany Pike VFD by means of materially false and fraudulent pretenses,

representations, and promises, and for the purpose of executing the scheme and artifice to defraud and deprive, did knowingly transmit and cause to be transmitted in interstate commerce, by means of wire communications, certain signs and signals.

5. The defendant used funds in the bank accounts of Bethany Pike VFD to purchase personal items directly from vendors and from Amazon.com.

6. The defendant used funds in the bank accounts of Bethany Pike VFD to purchase personal items via various mobile payment service providers.

7. The defendant used funds in the bank accounts of Bethany Pike VFD to pay invoices for credit cards not belonging to Bethany Pike VFD.

8. The defendant used funds in the bank accounts of Bethany Pike VFD to pay personal utility bills.

9. The defendant used funds in the bank accounts of Bethany Pike VFD to pay for other personal expenses.

10. The defendant provided bank statements for the accounts of Bethany Pike VFD to the West Virginia State Auditor's Office that he altered to conceal his embezzlement.

11. The scheme involved the following acts, among others, which were committed and caused to be committed in the Northern District of West Virginia and elsewhere.

- a. On or about February 17, 2017, the defendant used approximately \$200 of Bethany Pike VFD funds to purchase concert tickets for personal use.
- b. On or about October 16, 2017, the defendant used approximately \$2,400 of Bethany Pike VFD funds to pay an invoice on an American Express credit card held in his name, which included a charge for airfare unrelated to Bethany Pike VFD.

- c. On or about January 15, 2018, the defendant used approximately \$2,100 of Bethany Pike VFD funds to pay an invoice on an American Express credit card held in his name, which included a charge for lodging at a hotel in Tennessee.
- d. On or about March 19, 2018, the defendant used approximately \$2,600 of Bethany Pike VFD funds to pay an invoice on an American Express credit card held in his name, which included a charge at a local grocery store for goods unrelated to Bethany Pike VFD.
- e. On or about September 24, 2018, the defendant used approximately \$5,000 of Bethany Pike VFD to pay an invoice on an American Express credit card held in his name, which included a charge for a rental car company unrelated to Bethany Pike VFD.
- f. On or about September 2, 2020, the defendant used approximately \$3,100 of Bethany Pike VFD funds to pay educational expenses of a family member.
- g. On or about December 2, 2020, the defendant used approximately \$1,200 of Bethany Pike VFD funds to pay educational expenses of a family member.
- h. On or about October 4, 2021, the defendant used approximately \$4,500 of Bethany Pike VFD funds to make a payment on his personal automobile loan.
- i. On or about October 27, 2021, the defendant provided Bethany Pike VFD bank statements to the West Virginia State Auditor's Office, which he had altered to conceal fraudulent transactions, including the transactions on or about September 2, 2020, and December 2, 2020, to pay educational expenses of a family member.

- j. On or about October 11, 2022, the defendant used approximately \$1,500 of Bethany Pike VFD funds to send a payment to Kay Jewelers.
- 12. The scheme deprived Bethany Pike VFD of approximately \$150,000.

THE WIRE COMMUNICATION

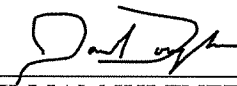
13. On or about October 4, 2021, in Brooke County, in the Northern District of West Virginia and elsewhere, the defendant, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, knowingly transmitted and caused to be transmitted by means of wire communications in interstate and foreign commerce a writing and signal, specifically a payment of approximately \$4,500 to Capital One Auto Finance, in violation of Title 18, United States Code, Section 1343.

FORFEITURE ALLEGATION

Wire Fraud

1. Pursuant to Title 28, United States Code, Section 2461(c), Title 18, United States Code, Sections 981(a)(1)(C), 1956(c)(7)(A), 1961(1), and Title 21, United States Code, Section 853, the government will seek the forfeiture of property as part of the sentence imposed in this case; that is, the forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1343, or a conspiracy to violate such offense, including a money judgment in the amount of at least approximately \$150,000.

2. Pursuant to Title 28, United States Code, Section 2461(c), the government will seek forfeiture of substitute property up to the value of property subject to direct forfeiture that is not available for forfeiture on account of any act or omission contemplated by Title 21, United States Code, Section 853(p)(1).

 FOR

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